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THE NATURE OF AMERICAN TERRITORIAL EXPANSION

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America has been commonly portrayed by American statesmen and politicians, even in fervid Independence Day orations, as a nation whose policy is ever for peace, and as a nation harboring no imperialistic aims. A certain group of thinkers—or feelers—have boasted of the extreme pacifism and righteousness of America in this way in order to intensify and reënforce and promote those policies for the future. These good people have hoped to see America lead the way to a repudiation of militaristic methods and the gospel of conquest. Such are the pacifists, the church people, the reformers. A second group of people have firmly believed that, in actual fact, the record compelled and imposed on them such an interpretation of American policy. They have felt that the causes were only in part the voluntary preferences of the American people, and they have seen the importance to be attached, in interpreting the American policy, to the geographical and economic conditions determining the character of American growth and policies. But to whatever cause it has been due, and largely because it can be traced back to a deeper and firmer foundation and source than mere popular preferences, these students of American foreign policy have subscribed, and still subscribe, to the belief that the American practice in the matter of territorial expansion has been characterized by a lack of imperialism, of militarism, and of a lust for conquest such as has been manifested by certain European Powers from time to time in the past. Their opinion is entitled to respect. It is, moreover, useful, even indispensable, to have an accurate idea of the quality of American foreign policy in the coming days in order not, certainly, to expect too much of America, and also, just as certainly, to be able to utilize all the potential energy for good in international politics which America may be able to provide.

The transports and boastings, and what have amounted to the spiritual excesses of those who have painted America as a pacifist and a saint among nations, have produced in certain quarters a feeling of revolt and a reaction against the traditional view of the matter. In certain cases the result is a mild, amused, somewhat cynical, somewhat wise and sophisticated skepticism as to the peaceable and righteous character of the American mood. In other cases the result is a flat denial of the American tradition, a

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direct contradiction of its conclusions, and an attempt to place America on all fours with the other members of the family of nations on the score of territorial expansion.

Of the first sort is the case of Professor J. B. Moore, who, after taking note of the traditional pictures of American policy "as conventionalized in the annual messages of Presidents to Congress," and, he might have added, in countless public documents and private addresses, goes on to say, in his treatment of the principles of American foreign policy: "Nevertheless, in spite of their quiet propensities, it has fallen to their lot, since they forcibly achieved their independence, to have had, prior to that whose existence was declared April 6, 1917, four foreign wars, three general and one limited, and the greatest civil war in history, and to have acquired a territorial domain almost five times as great as the respectable endowment with which they began their national career." This gently implies, of course, that the conventional picture is inaccurate, at least in its emphasis or intensity.

Further still to the left we have Mr. J. A. R. Marriott, who, in a recent article in the *Edinburgh Review,* concludes that "the American record of expansion does not fall behind that of the principal European Powers," and that, in the words of Professor Ramsey Muir, who is quoted with approval by Mr. Marriott, "the imperialist spirit was working as powerfully in the communities of the New World as in the monarchies of Europe."

The method of approach and the objectives of Mr. Marriott's treatment must be borne in mind. He begins by deploring that "illusions about America die hard," and that "as a rule it takes longer to kill them" in Europe than at home. He then sets out to do the killing. After following the argument for some distance in a more or less systematic way, the author begins to reorient his treatment. He is no longer interested in killing an illusion, but in portraying what appears to him now, after his review of the Monroe Doctrine, as a "new departure in American diplomacy." He concludes that America came out of her isolation in 1895 or 1898 and began to take part in world politics. What is now felt by Mr. Marriott to be a new policy of participation in *Welt-politik* is portrayed as a reversal of the preceding policy. "The *Zeit-Geist* had proved itself too strong even for the Americans. . . . During the last generation the world has become one in a sense of which no one dreamed forty years ago . . . the world has shrunk; and in the process of contraction, the American, Australian, and African continents have been inevitably drawn into the maelstrom of European politics."

Thus, in addition to the initial motive of killing an illusion in the interests of truth, Mr. Marriott is in the end simply playing a new variation upon the now familiar theme of the growing contact and inter-relation of the nations. Indeed, the latter idea bids fair to become as stereotyped

in a few years as the tradition of American isolation and pacifism ever was. Moreover, his second thesis involves somewhat of a denial of his first. If America is on all fours with the European Powers only after abandoning a policy of isolation which she is reputed to have pursued down to 1895-98, then during the preceding period she must have lived a secluded and, presumably, virtuous life. If she became worldly in 1895-98, she must have been unworldly before that time.

However, the important question about all this is, of course, is it true? The first thesis of Mr. Marriott might look suspiciously like the sinner's retort, "Oh, you are just like the rest of us." It might look like the attempt to drag the pictures of America down to the level of that of imperialist and militarist Europe. There is probably to be detected here, however, a certain measure of influence from the second of Mr. Marriott's propositions. We are *all* in the same game, he says, at least since 1895; after all, haven't we *always* been pretty much alike, you *were* always pretty much like us, you know. In either case the question remains: were we? Is it true?

It must be remembered that the point is that of international imperialism. The United States is not accused of being rebellious or turbulent, in the sense in which that accusation is levelled at Latin-American republics. The territorial expansion of the United States and their share in imperial world politics is what is in question. Accordingly, Professor Moore's mention of "the greatest civil war in history," and of the fact that the United States "forcibly achieved their independence," is simply beside the point and has nothing to do with the case.

For the rest, the charge may be put thus: the United States has been engaged in numerous wars and has expanded enormously in territorial possessions; on these critical points of international relations and foreign policy America is not exceptionally righteous by intention, nor has she an exceptionally good record.

On the first point, no perplexity whatever need be felt. The history of American military organization and the record of her wars need only be reviewed to show that Professor Moore's insinuations are wholly without consequence. To begin with, the United States has always been content with, and has positively rejoiced in, a standing army small even for a much smaller Power, and in the use of the volunteer and militia systems of military organization. That is notorious. It does not create a picture of a nation with military propensities and predilections. In the military life Americans are amateurs—sometimes ridiculous, sometimes glorious, but always amateurs.

When we come to examine the numerous wars in which the United States has been engaged, "three general and one limited," a new sort of error is revealed. The United States has been involved in the wars against the Barbary pirate states in 1795-1815, in the wars of England and France

in 1798 and 1812, in a war upon Mexico in 1846, a war upon Spain in 1898, and in the general European war in 1917. To make such a statement, however, is to open a discussion, not to close it; is to speak merely in quantitative terms. It remains to be noted, first, that the wars against the Barbary States were waged in behalf of a sea free for all nations from these subsidized marauders of the Mediterranean; second, that the *de facto* war with France was entirely maritime in character, was extremely brief—a matter of six months—and, like the following war of 1812 (also brief and fragmentary), followed not from relations arising directly or primarily between the United States and another peaceful nation, but from relations between the United States as a neutral and one of two parties to a bitter European struggle during which the neutral was put to it to defend his rights and to resist encroachments from one side or the other. Like the War of 1812, also, it originated in part from a determination to defend maritime liberties upon which the next few years were to place the seal of approval. These two wars contrast strongly with the Mexican War, which was offensive and not defensive, which was predatory in its aim, and was not undertaken primarily for the defense or vindication of legal rights.

It is precisely this Mexican War which, as the glaring exception, proves the general rule regarding the character of American wars. Mr. Marriott does not dwell upon the disgraceful character of that war as fully as he might be pardoned for doing if he chose. He does, however, make a remark in regard to it which is interesting and instructive. The Civil War, it appears, "might never have occurred had the United States been strictly limited to its original territory." Evidently, in Mr. Marriott's eyes, the Mexican War contributed to push the South into the Civil War. On the other hand, as Mr. Marriott does not mention, it was the South that pushed the nation into the Mexican War to secure more potentially slave territory in Texas and the Southwest. That war, it is safe to say, probably would not have occurred but for the operation of what must be regarded as an abnormal and unnatural factor in American politics. It is not characteristic of American foreign policy.

One does not need to go up into the wars of 1898 and 1917 to discover the same traits. Let history judge whether the United States entered either of her most recent wars from a lust of conquest, military ardor or imperialistic desires. Rather it can be affirmed that the United States, when her policy has been determined by the natural and normal preferences of her people, has never entered a war except in defense of legal or ethical rights to which history has, as a matter of actual recorded fact, paid definite and profound respect. So with her defense of the freedom of the seas against France and Britain in 1798 and 1812, her defense of Cuban liberty and decency and her own safety in 1898, and of her freedom upon the seas again in 1917. Let Mr. Marriott compare the war aims of America in the

recent war with those of any of the other belligerents and then answer whether American participation in that war proved her to be imperialistic, as nations go in this year of grace, or otherwise.

The discussion of war aims, however, leads us over to our principal problem, namely, the character of the territorial expansion of the United States. Referring again to the Cuban case, did America undertake the War of 1898 for conquest? Or, more generally, what qualities are manifest in the territorial expansion of the United States from a petty coastal state in 1776 to a vast world Power in 1920?

Of the facts in the case there can be no doubt. Beginning with the possession of the Atlantic coast from Florida to Maine, the Americans have expanded westward to the Mississippi, to the Rockies, to the Pacific, and acquired vast possessions in Alaska, the East and West Indies and the islands of the Pacific. By a constant process of expansion and acquisition extending from 1783 to 1916 "the American empire" has grown in area and in distribution over the surface of the globe until we stand among those spacious and far-flung Powers upon whose possessions the sun never sets.

Here also, however, the impression which Professor Moore and, to a greater extent in this case, Mr. Marriott try to create is due wholly to the fact that they dwell upon the quantitative aspects of the case alone. Thus, Mr. Marriott says that "No country in the world exhibited, during the nineteenth century, a more marked tendency to territorial expansion than the United States." He notes further that in 1845 America annexed "a territory more than four times as large as England and Wales," and that in less than a century after 1783 the United States had "more than quadrupled in size."

Now all of these quantitative statements are true. But they do not mean much. Imperialism is not a matter of area, any more than militarism is a matter of the number of wars in which a nation has been engaged or, for that matter, of the number of troops maintained in the armed forces of the nation. China is larger than continental United States, Greenland larger than all of western Europe. What does that prove regarding the Danes or the Chinese? Nothing, just nothing. Imperialism and militarism are moral—or immoral—characteristics to be measured with more discriminating instruments than a yardstick or a counting machine. The area of Brazil and the military preparedness of Switzerland do not convict either of these nations in the public mind of those two vices, and properly so.

There have been, in the United States, certain manifestations of what might be called an imperialistic temper. These were in evidence specially from 1840 to 1850, the decade of the "roaring forties," as these years have been aptly called. The cry of "Fifty-four Forty or Fight," which was raised to express the demand, put forward in the Presidential campaign of

1844, for possession of the Oregon territory up to 54° 40′ North latitude, and the talk about the "manifest destiny" of America to rule this continent from the Northern ice to the tropic seas, and so on, were symptomatic of a certain mood. The spectacle of westward expansion and settlement fired men's minds and loosed their tongues. Our Latin American neighbors, or certain more or less excitable politicians in and among them, dwell lovingly upon the war of this period as proof of an imperialistic plan to conquer the western world, combining this evidence with the more recent expansion of American finance and commerce in these continents and the policy of the Monroe Doctrine, with which all of this is connected in popular talk. In the end of the century came an outburst of enthusiasm for a place among the world Powers and a share in the colonial game.

There have been other episodes which might be called on to prove American imperialism. In 1778 we treated with France regarding a joint conquest of all British possessions in America. The Articles of Confederation showed clearly a hope for the inclusion of Canada in the new nation. This subject was revived in 1870 in discussions of British relations. Cuba was coveted by Adams and by Jefferson in 1823; in 1848 we tried to buy it; in 1868 we meditated military occupation. We tried to secure the annexation of San Domingo in 1879. Various other cases could be cited.

The fact is, however, that a decision must be reached not by reference to what did not happen, but by what did happen, not by vague and unsupported aspirations or desires, but upon decision converted or attempted to be converted into action or stopped only by outside forces. Further, the character of American policy must be judged by the long run of events, not by the sporadic outbursts of 1846 and 1898. That the moods of 1846 and 1898, engendered largely by the events themselves, are so easily recognized, indeed, is due to the fact that they are set against a background of prevailingly different hue.

When we come to examine the concrete acquisitions of territory actually made by the United States, there are certain very definite considerations which sustain these general impressions. These are to be found in the manner in which these acquisitions were made, the character of the territories at the time when they were acquired, and the method of treatment accorded to them after acquisition.

Most of the territorial acquisitions of the United States have resulted, not from the use of armed force, but by free cession. That is the one great and irrefutable disproof of American imperialism. The lands between the Appalachians and the Mississippi were held in at least a legal title in 1783 and possession was taken by the natural and peaceful process of settlement. Louisiana, Florida, Alaska, and the Virgin Islands were purchased; Texas and the Hawaiian Islands annexed upon their own request; the Oregon territory acquired by discovery and settlement and free diplomatic arrangement with Britain. Even in the case of Florida, where preliminary

events gave every opportunity for a quick and outright conquest, the territory was only taken after a fair conventional agreement with Spain. It is particularly ridiculous to hear Mr. Marriott declare that "the purchase of the Alaskan territory in 1867 from Russia was a more obvious demonstration of an imperialistic temper." Besides being a rather happy and, in the public mind at the time, unforeseen and dubious accident, it was sold by Russia at such a price as to indicate that the United States was picking up something without very serious effort on her part. The Congress very nearly refused outright to appropriate the money for the purchase at all. There was no general national imperialism whatever in evidence. Finally, various islands have been acquired by discovery and occupation. In none of these cases are there any substantial qualifications to be made. This is the normal mode of acquisition for the United States.

The events of 1846 and 1898 are exceptions or partial exceptions here as above. New Mexico and California were taken primarily by conquest. The abnormal cause for that action is notorious, and has already been mentioned. It remains to be noted that steps were already on foot in 1846 to purchase these territories from Mexico, according to the usual practice of the United States. From the standpoint of the true American policy, one can but regret that the South did not give time for the normal methods to be followed. An American does, however, regret it, and not boast of it.

As for Cuba, Porto Rico, and the Philippines, the case is slightly different again. Cuba, of course, was not annexed by the United States, but simply freed from Spain. The Philippines were taken by a combined process of conquest and purchase. Porto Rico and Guam were taken by conquest, apparently. So much for the initial steps. In regard to all of these, however, the most significant facts are those connected with the method of treatment accorded to the annexed territories. To that we shall return in a moment.

The next thing to be noted is that the great bulk of the territorial acquisitions of the United States have been made from contiguous territory. The frontier of settlement has grown outward by a natural process. In some cases, defense of the existing frontier was a motive; in some cases boundary disputes—real, and not artificially stimulated—led to territorial acquisitions. Florida, the trans-Appalachian regions, Louisiana, Oregon, California, and even the Southwest were reached in this manner, not by overseas adventures or incursions into the settled or occupied territories of other nations.

In other words, the American people moved slowly and peaceably into what were nearly empty territories. The lands settled were not already occupied by a population with a developed culture and life of their own. No great numbers of an alien people were subjected to a conqueror's government. The Indians cannot be so described. They were not entitled, by any sort of social ethic which can be seriously considered, to be respected in their

occupation of the land as if they had been a civilized people. They could not be cited here in such a manner. By and large, the Americans have simply flowed into empty territory; they have not conquered and annexed existing states or portions thereof.

The same exceptions are to be noted here as in the discussion of the manner of acquisition. The Philippines and Porto Rico and the Pacific islands, and even Alaska, lie away from the mainland of the United States. And while Alaska and the Pacific islands were largely empty or inhabited only by uncivilized natives, Porto Rico and the Philippines were settled countries and so was the Hawaiian group. In this case the Southwest stands better than they, for it was both contiguous and sparsely occupied, and held in the vague Mexican Empire rather lightly and artificially.

But the decisive fact, after the method of acquisition itself, is the method by which the acquired territories have been treated. In this the Philippines and Porto Rico and the Hawaiian group fare well. The characteristic American practice has been to incorporate acquired territories in the Union on a basis of equality with the original member States, and not to hold them in subjection as colonial possessions. This process was applied to all the acquisitions down to 1898. Even Alaska, remote and unsettled, is on the recognized historic route to statehood.

In the cases of the acquisitions of 1898 that practice has also been followed. Hawaii and Porto Rico have been given "territorial" governments, which have always been the prelude to statehood, and they may conceivably achieve statehood in the not distant future. The Philippines have been given "territorial" government and might conceivably follow the same path. What is more likely to happen, however, and the distinction has its own significance, is that the Philippines will go one way—to independence, while Porto Rico and Hawaii, perhaps, go the other—to statehood. We have promised the Philippines their independence, acting apparently on the assumption that they could not become part of the Union. They may be retained in a protectorate; they may come to stand with Cuba, as another relinquished conquest. In either case, the protectorate would gain its significance not so much in distinction from a theoretical or potential stage of complete independence as from the immediately preceding stage of conquest and dominion.

From all of these facts, the conclusion is unescapable. They are not vague and indefinite ideas; they are historic facts. They are irrefragible obstacles to any attempt to portray American territorial expansion as a process of imperialism.

From one point of view the task of refuting such an attempt may appear to be too easy to have deserved to take up so much time and energy. And in a sense that is true. No person who is familiar with American political life can take such a contention seriously. The people of the United States have not the imperialistic temper. Except when on a sort of spirit-

ual spree as in 1846 and 1898, they are frankly embarrassed at such a grandiose rôle in international politics. Have they not always played, or pretended to play, a minor rôle in that tragi-comedy, even a silent rôle? They have thrilled at the idea of "conquering" and "subduing" a continent—in the sense of exploring, settling and cultivating the earth; in that sort of imperialism against nature they have gloried. The extension of the empire of man over brute nature—that is American imperialism. As for the hard and greedy international imperialism of military conquest, for that they have neither the requisite stage presence in international relations, nor the necessary viciousness.

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ENEMY GOODS AND HOUSE OF TRADE

By Thomas Baty, LL.D., D.C.L.

I. General

It is proposed to examine shortly, in the following pages, the precis extent to which a neutral's commerce with a belligerent country is liabl to interruption by the cruisers of the opposite belligerent, apart from th traditional doctrines of blockade and contraband, and from the practic of reprisals. We shall also eliminate the operation of the dogma of con tinuous voyage. Needless to say, that dogma is one which introduces utte uncertainty into the realm of prize law, and makes it easy for belligerent to behave towards neutral commerce in a quite arbitrary fashion. Whe combined with a swollen list of contraband, its application amounts to complete control of commerce by belligerents; and might best be met b a friendly war being commenced between neutrals, who might thus, perhap regain the freedom of which they otherwise stand deprived. But takin the dogma as it stands, we cannot but realize that its true design an justification is to restore to belligerents their old liberty of seizing enem property withdrawn from them in 1856 by the Declaration of Paris. Tha and not the pernicious influence of railways, is its true *raison d'être*. Whe Chief Justice Chase, by his casting vote in the United States Suprem Court, laureled the doctrine during the American Civil War, it was wit no idea of countering the influence of railways in his mind. Railway were not important in that connection. No railway, at that time, traverse the waters of the Gulf of Mexico. Nassau was on an island. Any influenc that railways may have exercised, in making a belligerent territory mor accessible from neutral ports, is more than offset by the enormous powe of controlling commerce exercised by the modern fast cruiser—a powe incomparably greater than that of the old frigate over the old merchant man.[1]

Accordingly, if the continuous voyage dogma be duly anathematize in the interest of a modicum of decent security for neutrals, it will scarcel be possible to avoid the substitution, in some form or another, of libert to intercept the enemy's goods laden on neutral ships. The neutral in tha case will preserve his ship, will even get his freight, and no harm wi be done to anybody except the enemy,—a much more satisfactory stat of affairs than the present, when by a forced and unnatural series o

[1] See, for succinct statistics, the writer's *Prize Law and Continuous Voyage* (Lo don), 1916.